

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO *ex rel.*
State Engineer,

Plaintiff,
v.

ROMAN ARAGON, *et al.*,
Defendants.

69cv07941 MV/KK

RIO CHAMA STREAM SYSTEM

Section 1: Rio del Oso & Rito Vallecitos
Subfile No. CHRO-005-0004

CONSENT ORDER

The Court, having considered the agreement between the Plaintiff State of New Mexico and Defendant(s):

**CONSUELO ARCHULETA
SALOME CHAFF
ADELINA LANG
ANGELICA LOPEZ
ANITA VALDEZ**

concerning the Defendant's right to use the public waters of the Rio Chama Stream System, as set forth below finds:

1. The Court has jurisdiction over the parties and the subject matter of this suit.
2. The State of New Mexico and the above-named Defendant(s) are in agreement concerning the elements of Defendant's right to divert and use the public waters of the Rio Chama Stream System, Section 1: Rio del Oso & Rito Vallecitos, and by their signatures appearing below, the State and the Defendant(s) have approved and accepted the elements of Defendant's water rights as set forth in paragraph 4 herein.

3. There is no just reason for delay for the entry of a final judgment as to the elements of the claims of the Defendant(s) adjudicated by this order.
4. The right of the Defendant(s) to divert and use the public waters from the Rio Chama Stream System, Section 1: Rio del Oso & Rito Vallecitos, is set forth below:

A. IRRIGATED LANDS (Surface Water Only):

Office of the State Engineer File No(s): 03812

Priority: 1887

Source of Water: ACEQUIA DE LOS RECHUELOS: Surface water of the Rio del Oso, a tributary of the Rio Chama.

SPRING NO. 1: Surface water of a spring, a tributary of the Rio del Oso.

SPRING NO. 2: Surface water of a spring, a tributary of the Rio del Oso.

SPRING NO. 4: Surface water of a spring, a tributary of the Rio del Oso.

SPRING NO. 5: Surface water of a spring, a tributary of the Rio del Oso.

Purpose of Use: IRRIGATION

Point of Diversion:

Ditch: ACEQUIA DE LOS RECHUELOS

Location X: 1,608,390 feet Location Y: 1,836,374 feet

Spring: SPRING NO. 1

Location X: 1,612,493 feet Location Y: 1,835,575 feet

Spring: SPRING NO. 2

Location X: 1,612,617 feet Location Y: 1,836,044 feet

Spring: SPRING NO. 4

Location X: 1,613,302 feet Location Y: 1,836,909 feet

Spring: SPRING NO. 5

Location X: 1,613,691 feet Location Y: 1,836,019 feet

New Mexico State Plane Coordinate System, Central Zone, NAD 1983

Location and Amount of Irrigated Acreage:

Within the Juan Jose Lobato Land Grant	12.2 acres
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Total 12.2 acres

As shown on the 2016 Hydrographic Survey Map CHRO-5.

Amount of Water (acre-feet per acre per year, not to exceed):

Consumptive Irrigation Requirement = 1.25

Farm Delivery Requirement = 3.13

Project Diversion Requirement = 5.22

B. POND(S) (Surface Water Only):

Office of the State Engineer File No(s): 03812

Priority: 10/04/1963

Source of Water: ACEQUIA DE LOS RECHUELOS: Surface water of the Rio del Oso, a tributary of the Rio Chama.

SPRING NO. 1: Surface water of a spring, a tributary of the Rio del Oso.

SPRING NO. 2: Surface water of a spring, a tributary of the Rio del Oso.

SPRING NO. 4: Surface water of a spring, a tributary of the Rio del Oso.

SPRING NO. 5: Surface water of a spring, a tributary of the Rio del Oso.

Purpose of Use: LIVESTOCK WATERING

Point of Diversion:

Ditch: ACEQUIA DE LOS RECHUELOS

Location X: 1,608,390 feet Location Y: 1,836,374 feet

Spring: SPRING NO. 1

Location X: 1,612,493 feet Location Y: 1,835,575 feet

Spring: SPRING NO. 2

Location X: 1,612,617 feet Location Y: 1,836,044 feet

Spring: SPRING NO. 4

Location X: 1,613,302 feet Location Y: 1,836,909 feet

Spring: SPRING NO. 5

Location X: 1,613,691 feet Location Y: 1,836,019 feet

New Mexico State Plane Coordinate System, Central Zone, NAD 1983

Pond Location and Surface Area:

Within the Juan Jose Lobato Land Grant	0.01 acres
Total	<u>0.01</u> acres

As shown on the 2016 Hydrographic Survey Map CHRO-5.

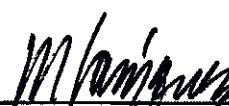
Pond Depth: 3.0 feet

Pond Volume: 0.02 acre-feet

5. Defendant(s) have no surface water rights in the Rio Chama Stream System, Section 1: Rio del Oso & Rito Vallecitos, other than those set forth in this order and those other orders entered by this Court in this cause.
6. Defendant(s), his or her successors, representatives, heirs and assigns, should be enjoined from any use of the surface waters of the Rio Chama Stream System, Section 1: Rio del Oso & Rito Vallecitos, except in strict accordance with the water rights described herein.
7. The water rights described herein, if any, are adjudicated subject to the right of any other water right claimant with standing to object prior to the entry of a final decree.

IT IS THEREFORE ORDERED that the rights of the Defendant(s) to divert and use the waters of the Rio Chama Stream System, Section 1: Rio del Oso & Rito Vallecitos, are as set forth herein. The Defendant(s), his or her successors, representatives, heirs and assigns, are enjoined from any diversion or use of the public surface waters of the Rio Chama Stream System, Section 1: Rio del Oso & Rito Vallecitos, except in strict accordance with the rights set forth herein or in other orders of the Court.

The Court enters this Consent Order as a final judgment as to the elements of Defendant's waters rights set forth herein, subject to the right of other claimants to file objections to individual adjudication orders, and to the entry of the final decree in this proceeding.



MARTHA VAZQUEZ
UNITED STATES DISTRICT JUDGE

Approved:

KIRTAN KHALSA
UNITED STATES MAGISTRATE JUDGE

ACCEPTED:  ANITA VALDEZ ACCEPTED: _____ ADELINA LANG

ADDRESS: 2915 CAMINO DEL GUSTO ADDRESS: _____
SANTA FE
NEW MEXICO 87507

DATE: AUGUST 15, 2016 DATE: _____

ACCEPTED: _____ SALOME CHAFF ACCEPTED: _____ CONSUELO ARCHULETA

ADDRESS: _____ ADDRESS: _____

DATE: _____ DATE: _____

ACCEPTED: _____ ANGELICA LOPEZ

ADDRESS: _____

DATE: _____

The Court enters this Consent Order as a final judgment as to the elements of Defendant's waters rights set forth herein, subject to the right of other claimants to file objections to individual adjudication orders, and to the entry of the final decree in this proceeding.



MARTHA VAZQUEZ
UNITED STATES DISTRICT JUDGE

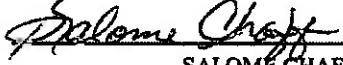
Approved:

KIRTAN KHALSA
UNITED STATES MAGISTRATE JUDGE

ACCEPTED: _____
ANITA VALDEZ

ADDRESS: _____

DATE: _____

ACCEPTED: 
SALOME CHAFF

ADDRESS: 3001 Farnsworth
San Bruno
California 94066

DATE: August 17, 2016

ACCEPTED: _____
ANGELICA LOPEZ

ADDRESS: _____

DATE: _____

ACCEPTED: _____
ADELINA LANG

ADDRESS: _____

DATE: _____

ACCEPTED: _____
CONSUELO ARCHULETA

ADDRESS: _____

DATE: _____

The Court enters this Consent Order as a final judgment as to the elements of Defendant's waters rights set forth herein, subject to the right of other claimants to file objections to individual adjudication orders, and to the entry of the final decree in this proceeding.



MARTHA VAZQUEZ
UNITED STATES DISTRICT JUDGE

Approved:

KIRTAN KHALSA
UNITED STATES MAGISTRATE JUDGE

ACCEPTED: _____
ANITA VALDEZ

ACCEPTED: _____
ADELINA LANG

ADDRESS: _____

ADDRESS: _____

DATE: _____

DATE: _____

ACCEPTED: _____
SALOME CHAFF

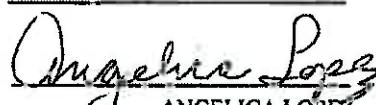
ACCEPTED: _____
CONSUELO ARCHULETA

ADDRESS: _____

ADDRESS: _____

DATE: _____

DATE: _____

ACCEPTED: 
ANGELICA LOPEZ

ADDRESS: 5 Camino Del Valle
Las Vegas,
N.M. 87701

DATE: 8-15-16

The Court enters this Consent Order as a final judgment as to the elements of Defendant's waters rights set forth herein, subject to the right of other claimants to file objections to individual adjudication orders, and to the entry of the final decree in this proceeding.


MARTHA VAZQUEZ
UNITED STATES DISTRICT JUDGE

Approved:

KIRTAN KHALSA
UNITED STATES MAGISTRATE JUDGE

ACCEPTED: _____
ANITA VALDEZ

ADDRESS: _____

DATE: _____

ACCEPTED: _____
SALOME CHAFF

ADDRESS: _____

DATE: _____

ACCEPTED: _____
ANGELICA LOPEZ

ADDRESS: _____

DATE: _____

ACCEPTED: 
ADELINA LANG

ADDRESS: 416 Turner Terrace
Apt 2
San Mateo, CA 94401-2479
DATE: 8/17/2014

ACCEPTED: _____
CONSUELO ARCHULETA

ADDRESS: _____

DATE: _____

The Court enters this Consent Order as a final judgment as to the elements of Defendant's waters rights set forth herein, subject to the right of other claimants to file objections to individual adjudication orders, and to the entry of the final decree in this proceeding.



MARTHA VAZQUEZ
UNITED STATES DISTRICT JUDGE

Approved:

KIRTAN KHALSA
UNITED STATES MAGISTRATE JUDGE

ACCEPTED: _____
ANITA VALDEZ

ADDRESS: _____

DATE: _____

ACCEPTED: _____
SALOME CHAFF

ADDRESS: _____

DATE: _____

ACCEPTED: _____
ANGELICA LOPEZ

ADDRESS: _____

DATE: _____

ACCEPTED: _____
ADELINA LANG

ADDRESS: _____

DATE: _____

ACCEPTED: 
CONSUELO ARCHULETA

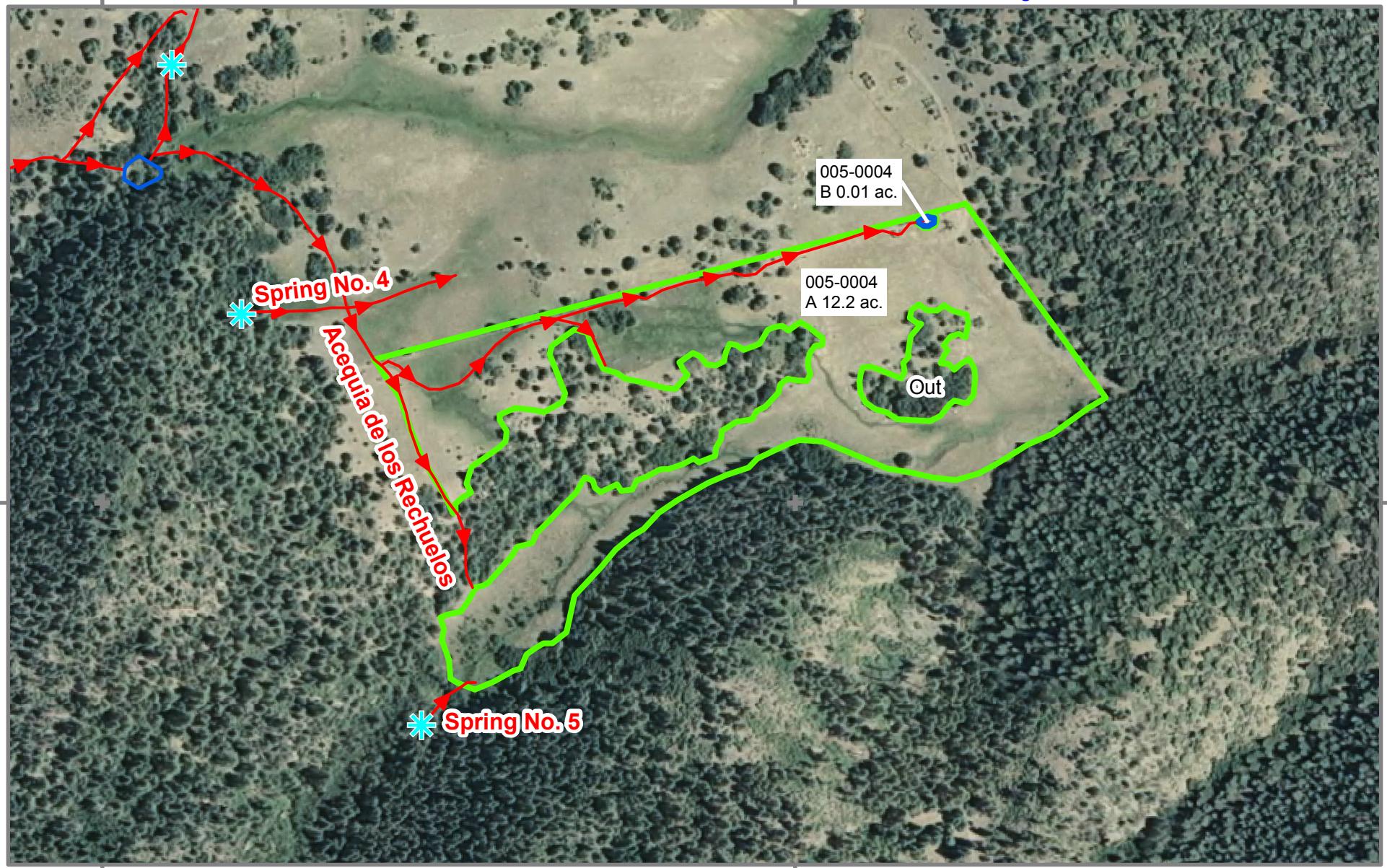
ADDRESS: 7400 Shadow Mountain Dr.
Off 23
Palm Desert, Ca 92260
DATE: 8/9/2016

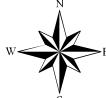
Kelly Brooks Smith

Kelly Brooks Smith
Special Assistant Attorney General

8-31-14

Date



LEGEND <ul style="list-style-type: none"> Irrigated Tract Boundary Pond Operable Ditch Spring 	 1 inch = 300 feet 	STATE OF NEW MEXICO Office of the State Engineer Tom Blaine, P.E., State Engineer	Subfile Number CHRO 005-004 Acequia de los Rechuelos & Springs No. 1, 2, 4 and 5 April 22, 2016
Rio Chama Hydrographic Survey Rio del Oso & Rito Vallecitos Section 1			